



112603

16569 U.S. PTO

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

00727 U.S. PTO  
10/724529

112603

In re application of: Prasad Miriyala

Atty Docket No: CISCPI09C1/7872

Application No.: Not Assigned

Examiner: Not Assigned

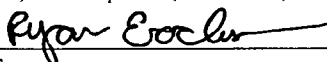
Filed: June 24, 2003

Group: Not Assigned

Title: FLEXIBLE SCHEDULING OF NETWORK  
DEVICES WITHIN REDUNDANT AGGREGATE  
CONFIGURATIONS

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on November 26, 2003, in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, Mailing Label Number **EV332825285US**, addressed to the Commissioner for Patents, P.O. Box 1450, Mail Stop OIPE, Alexandria, VA 22313-1450.



Ryan Eachus

## Request for Application Serial Number and Filing Date

Commissioner for Patents  
P.O. Box 1450  
Mail Stop OIPE  
Alexandria, VA 22313-1450

As of November 26, 2003 we have not yet received a stamped postcard, nor a filing receipt acknowledging receipt of the above-identified application by the U.S. Patent Office. A search using the PAIR system was also done and we were unable to locate a corresponding application number. Please find enclosed copies of the following documents submitted in Express Mail Package EV334022604US on June 24, 2003:

|  |
|--|
| 1. Utility Patent Application Transmittal (Continuation) w/ Certificate of Express Mailing |
| 2. Utility Patent Application Specification, Claims and Abstract                           |
| 3. Formal Drawings   |
| 4. Request for Nonpublication w/ Certificate of Express Mailing                            |
| 5. Declaration (Copy from Prior Application)   |
| 6. Assignment (Copy from Prior Application)  |
| 7. Information Disclosure Statement and PTO Form 1449                                      |
| 8. Limited Recognition Under 37 CFR § 10.9(b)  |
| 9. copy of Check No. <u>7394</u> in the amount of \$1398.00                                |

Accompanying Application Parts:

- ☒ Do not publish this application. Nonpublication Request is attached.  
☒ Assignment (Copy from Prior Application) .....  
☐ Power of Attorney  
☐ 37 CFR 3.73(b) Statement by Assignee  
☒ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations  
☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)  
☒ Return Receipt Postcard  
☒ Other: Limited Recognition Under 37 CFR § 10.9(b)

Claim For Foreign Priority

- ☐ Priority of          Application No.          filed on  
is claimed under 35 U.S.C. § 119.  
☐ The certified copy has been filed in prior application U.S. Application No.  
☐ The certified copy will follow.

Extension of Time for Prior Pending Application

- ☐ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

- ☐ Amend the specification by inserting before the first line the sentence: "This is a  
☐ Continuation      ☐ Continuation-in-part      ☐ Divisional  
application of co-pending prior  
☐ Application No.          filed on          ,  
☐ International Application          filed on          which  
designated the United States,  
the disclosure of which is incorporated herein by reference."
- ☐ Cancel in this application original claims          of the prior application  
before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

☐ Applicant is entitled to Small Entity Status under 37 C.F.R. §1.27.

|   | (Col. 1)<br>Total Claims |       | (Col. 2)<br>Claims | (Col. 3)<br>Present Extra | Rate    | Additional Fee |
|---|--------------------------|-------|--------------------|---------------------------|---------|----------------|
| TOTAL   | 42                       | MINUS | 20                 | = 22                      | x 18 =  | 396.00         |
| INDEP.  | 6                        | MINUS | 3                  | = 3                       | x 84 =  | 252.00         |
| [ ] First presentation of multiple dependent claim    |                          |       |                    |                           | \$280 = |                |
| Basic Filing Fee under 37 C.F.R. §1.16(a)             |                          |       |                    |                           | \$750 = | 750.00         |
| TOTAL   |                          |       |                    |                           |         | 1398.00        |
| SMALL ENTITY 50% FILING FEE REDUCTION (if applicable) |                          |       |                    |                           |         |                |

☒ Check No. 7394 in the amount of \$1398.00 is enclosed.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. CISC109C1).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. CISC109C1).

☒ Please send correspondence to the following address:

Customer Number 022434



Date: June 24, 2003

Haruo Yawata  
Limited Recognition Under 37 CFR § 10.9(b)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Prasad Miriyala

Attorney Docket No.: CISC109C1/7872

Application No.: NEW

Examiner: UNASSIGNED

Filed: HEREWITH

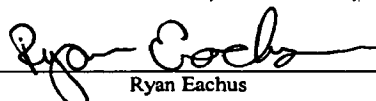
Group: UNASSIGNED

Title: FLEXIBLE SCHEDULING OF  
NETWORK DEVICES WITHIN  
REDUNDANT AGGREGATE  
CONFIGURATIONS

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on June 24, 2003 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, Mailing Label Number EV344022604US, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: \_\_\_\_\_

  
Ryan Eachus

**NONPUBLICATION REQUEST AND CERTIFICATION  
(35 U.S.C. 122(b)(2)(B)(i))**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing. I hereby request that the attached application **NOT** be published under 35 U.S.C. 122(b).

Date: June 24, 2003

  
Haruo Yawata

Limited Recognition Under 37 CFR § 10.9(b)

**NOTE:**

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications, eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign of international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

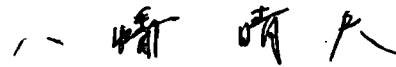
Enclosed for your review is a copy of the original Express Mail receipt dated June 24, 2003 verifying the acceptance of the express mail package on June 24, 2003. Also enclosed is an express mail tracking confirmation printed via the U.S. Postal Service website acknowledging that Express Mail package number EV334022604US was received in Arlington on June 26, 2003 at 10:10 a.m. by J. Steckel.

Correspondingly, Applicant respectfully requests an application serial number as well as a filing date of June 24, 2003 for the above-identified application.

If you have any questions or comments regarding the above matter, please do not hesitate to contact our office.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



Haruo Yawata

Limited Recognition under 37 CFR § 10.9(b)

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Telephone: (510) 843-6200